

24  
cont.  
a locking mechanism operably associated with at least one of said first and second arms for locking at least a portion of the brake pedal shaft within said slot to thereby prevent depression of the brake pedal.

---

### REMARKS

Claims 1-7 and 9 are currently pending in the application, as amended. Claims 1, 4, 7 and 9 have been amended to replace the phrases, "control pedal" and "control pedal shaft" with the phrases, "brake pedal" and "brake pedal shaft," respectively, as suggested by the Examiner. Support for this Amendment can be found at, *inter alia*, column 4, lines 40-54 and in Fig. 4. Accordingly, no new matter has been added.

### CLAIM REJECTIONS – 35 U.S.C. § 112

The Examiner rejected claims 1-7 and 9 under 35 U.S.C. § 112, first paragraph, as containing subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time of the application was filed, had possession of the claimed invention. Specifically, the Examiner argues that the claims setting forth a "control pedal," instead of a "brake pedal" comprise new matter since the specification only mentions a brake pedal. Applicant respectfully traverses this rejection in view of the foregoing amendment.

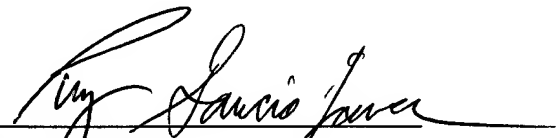
Applicant has amended claims 1, 4, 7 and 9 to delete phrases, "control pedal" and "control pedal shaft" and has inserted therefor, the phrases, "brake pedal" and "brake pedal shaft," respectively, as suggested by the Examiner. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw any rejection of claims 1-7 and 9, as amended, under 35 U.S.C. § 112, first paragraph.

**CONCLUSION**

In view of the foregoing Amendment and Remarks, Applicant respectfully submits that the present application, including claims 1-7 and 9, is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

By

  
Ruy M. Garcia-Zamor  
Registration No. 44,117  
(215) 568-6400

Volpe and Koenig, P.C.  
United Plaza, Suite 1600  
30 South 17th Street  
Philadelphia, PA 19103

RGZ/djw